

DELEGATED REPORT

Report by Tom Beirne	Date of report: 26/07/2023	Ref: 69518/FUL
Registration: 16/06/2023	LDfC: 13/07/2023	Expiry Date: 11/08/2023
Site Visit: 17/07/2023	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: HOUS

Proposal: First floor extension at side

Location: 32 Grange Road, Bury, BL8 2PE

Description

The application relates to a semi-detached two storey house (brick and render) with a detached garage/driveway at the side on a residential road of similar styled properties. The attached neighbours at No.30 has a single storey extension (3m) at the rear. On the other side No.34 has a detached garage adjacent to the shared side boundary. 1.8m waney lap fence around rear garden.

The proposed side extension would extend project out over the existing single storey side extension (approved in 2014), leaving a 1m wide pathway at the side. It would be finished in a render to match the house. The roof would be hipped, tiled and carried over onto the existing roof.

Relevant Planning History

57462 - Single storey extension side/rear - Approve with Conditions 08/05/2014

57686 - Non-material amendment following grant of planning permission 57462 for single storey extension side/rear:

Removal of parapet to north east and north west elevations and alteration to fenestration to north east elevations - Approve with Conditions 24/06/2014

Publicity

Immediate neighbours notified by letter dated 22/06/2023. No objections received.

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions -N/A

Unitary Development Plan and Policies

H2/3 Extensions and Alterations

SPD6 Supplementary Planning Document 6: Alterations & Extensions

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be

specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Visual amenity - The extension does not extend beyond the front elevation and from Grange Road, appears in design terms, to be in keeping with the house and streetscene. The small setback at first floor, twinned with the existing footway down along the side boundary would mitigate any appearance of terracing along the road. Finishing to match the existing house. In relation to visual amenity, the proposal complies with UDP policy H2/3 and guidance on extensions.

Residential amenity - The extension runs adjacent to the shared side boundary with No.34's detached garage. As such the extension does not have a serious impact on the neighbour this side. The neighbour on the other side (No.30) is not affected. Complies with UDP policy and guidance on extensions in this respect.

Access and Parking - The vehicular access from Grange Road remains as existing and there is space to park a vehicle on the frontage, clear of the highway. This is acceptable and complies with UDP Policy H2/3 and guidance.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

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The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered 2023/0039/001/B and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The external finishing materials for the proposal hereby approved shall match those of the existing building.
Reason. In the interests of visual amenity and to ensure a satisfactory development pursuant to Policy EN1/2 - Townscape and Built Design of Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Tom Beirne	26/07/2023	DM 04/08/23	